

Attorney Docket: 11848/4

## DECLARATION AND POWER OF ATTORNEY

As the below named Inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole Inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AN ENERGY STORAGE DEVICE

the specification of which (check one):

is attached hereto

or

was filed on 12 July 2000  
as PCT International Application No. PCT/AU00/00836  
and 28 December 2001 as U.S. Application No. 10/019237  
 was amended on 28 December 2001

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application, as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35 United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below. I have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

<u>Appl. Serial No./Country</u>	<u>Filing Date</u>	<u>Status</u>	<u>Priority Claimed</u>
PQ1578	12 July 1999		Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
PQ1602	13 July 1999		Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>

Additional foreign applications are listed on an attached supplemental priority data sheet.

I hereby claim the benefit under Title 35, United States Code §120, of any United States applications or §365(c) of any PCT international application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior applications in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. / PCT Appl.. Serial No.</u>	<u>Filing Date</u>	<u>Status/Patent No.</u>	<u>Priority Claimed</u>
			Yes: <input type="checkbox"/> No: <input type="checkbox"/>
			Yes: <input type="checkbox"/> No: <input type="checkbox"/>

Additional U.S. / PCT applications are listed on an attached supplemental priority data sheet.

I hereby claim the benefit under Title 35, United States Code §119(e), of any United States provisional applications listed below:

Application NumberFiling Date

And I hereby appoint the registered practitioners of Kenyon & Kenyon included in the Customer Number provided below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

23838

Please address all correspondence to the above Customer Number.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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